



NOTICE OF ALLOWANCE AND FEE(S) DUE

93871 7590 06/30/2011
BRUNELL IP, PC
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MINNEAPOLIS, MN 55402

EXAMINER
MILEF, ELDA G
ART UNIT PAPER NUMBER

3694
DATE MAILED: 06/30/2011

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

09/734,988 12/11/2000 David Resnick PRECASH 0021 6113
TITLE OF INVENTION: ELECTRONIC PAYMENT SYSTEM UTILIZING INTERMEDIARY ACCOUNT

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.





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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 29 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 29 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**Notice of Allowability**

**Application No.**

09/734,988

**Examiner**

ELDA MILEF

**Applicant(s)**

RESNICK ET AL.

**Art Unit**

3694

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1.  This communication is responsive to RCE filed 6/7/2011.
- 2.  The allowed claim(s) is/are 68-90.
- 3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All   b)  Some\*   c)  None   of the:
    - 1.  Certified copies of the priority documents have been received.
    - 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

- 4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - 5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
- 6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 5/20/2011; 6/7/2011
- 4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5.  Notice of Informal Patent Application
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

## DETAILED ACTION

### *Information Disclosure Statement*

1. The Information disclosure Statement(s) filed 5/20/2011 and 6/7/2011 have been considered. Initialed copies of the Form 1449 are enclosed herewith.

### **Examiner's Amendment**

**2. The Specification is amended as follows:**

- On page 5 line 1 of the specification, the phrase "Fig. 9 is a series of flow charts illustrating a method for communicating the recharge and authorization request to the PreCash processor" should be -- Figs. 9A through 9D are a series of flow charts illustrating a method for communicating the recharge and authorization request to the PreCash processor.--

***An examiner's amendments to the claims and reasons for allowance are as submitted by the Examiner on 2/22/2011 and are being repeated below for convenience.*** Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Norm Brunell on 2/11/2011.

**3. *The application has been amended as follows:***

Claims 1-67. (Canceled)

Claim 68. (Currently Amended) A method for effecting electronic payment, comprising:

~~storing an association between~~ associating an intermediary account number and an end-user account number, provided by the end-user, ~~in a database associated with a~~ payment processor computer system;

conducting a payment transaction between an end-user and a terminal located at a point-of-sale including communicating a payment and the intermediary account number from the end-user to the terminal;

sending data indicative of the payment and the intermediary account number from the terminal to the payment processor computer system;

~~retrieving, from the database,~~ determining the end-user account number associated with the intermediary account number;

sending data indicative of the payment and the retrieved end-user account number to a service provider system; and

instructing the service provider system to credit an end-user account identified by the retrieved end-user account number, wherein the service provider system maintains the end-user account.

Claim 69. (New) A method according to claim 68, further comprising:

transferring a first amount of money equal to the payment, subject to adjustment, from a first bank account maintained by a merchant into a second bank account

Art Unit: 3694

associated with the payment processor computer system, by an electronic funds transfer.

Claim 70. (New) A method according to claim 69 further comprising:  
transferring a second amount of money equal to the payment, subject to adjustment, from the second bank account associated with the payment processor computer system into a third bank account, maintained by the service provider, by electronic funds transfer.

71. (New) The method of claim 69, wherein transferring the first amount further comprises:

debiting the merchant's first bank account and crediting the payment processor computer system's second account under control of the payment processor computer system.

72. (New) A method according to claim 69, wherein transferring the first amount of money equal to the payment, subject to adjustment, is carried out in a batch mode on a daily basis.

73. (New) A method according to claim 69, wherein transferring the first amount of money equal to the payment, subject to adjustment is carried out via an automated clearing house system (ACH).

74. (New) A method according to claim 69, wherein said payment from the end-user at the point-of-sale includes payment in the form of cash.

75. (New) A method according to claim 69, wherein said payment from the end-user at the point-of-sale includes payment as a debit card transaction.



Art Unit: 3694

76. (New) A method according to claim 69, further comprising:  
issuing a card to the end-user that includes the intermediary account number.

77. (New) A method according to claim 69, wherein the end-user account number includes a valid credit card account number.

78. (New) A method according to claim 77, wherein the valid credit card account number can be presented by the end-user at the terminal located at the point-of-sale to purchase goods and services.

79. (New) A method according to claim 69, wherein the end-user account number identifies a pre-paid cellular phone account.

80. (New) A method according to claim 69, wherein the service provider is a prepaid telecommunications platform operator.

81. (New) A method according to claim 69, wherein the end-user account number includes a prepaid debit account number.

82. (New) The method of claim 81, wherein the prepaid debit account number is associated with a debit card which may be presented at the terminal located at the point-of-sale to purchase goods and services.

83. (New) A method according to claim 69, wherein the terminal located at the point-of-sale comprises an automated teller machine (ATM).

84. (New) A method according to claim 69, wherein the terminal located at the point-of-sale comprises a vending machine.

Art Unit: 3694

85. (New) A method according to claim 69, wherein the terminal located at the point-of-sale is a merchant hub that is communicably coupled to the terminal and the payment processor computer system.

86. (New) The method of claim 69, wherein the terminal at the point-of-sale is a data terminal at any location accessible to the end-user.

87. (New) A method according to claim 86, wherein the terminal is communicably coupled to the Internet, and the point-of-sale includes a website.

88. (New) The method of claim 69, wherein sending data indicative of the payment and the intermediary account number from the terminal to the payment processing computer system, further comprises:

    sending the data over a financial network.

89. (New) A method according to claim 88 wherein the financial network comprises a card association network.

90. (New) A method according to claim 89 wherein the card association network uses a bank identification number for routing data to the payment processor computer system.

### ***Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance: Claims 68-90 are considered allowable since when reading the claims in light of the specification, as per MPEP §2111.01, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent

Art Unit: 3694

claim 68, including “an intermediary account number and an end-user account number, provided by the end user.”

Dorf (US 6,000,608) disclose a multifunction card system serving as a prepaid card wherein an identification number on the card assists in establishing communications links. Dorf fails to disclose an end-user providing both an intermediary account number and an end-user account number to the system.

Walker et al. (US 6,246,755) disclose a method and system for connecting a caller to a content provider by providing a caller's identifying code but fail to disclose the end-user providing both an intermediary account number and an end-user account number.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELDA MILEF whose telephone number is (571)272-8124. The examiner can normally be reached on Monday -Friday 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571)272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3694

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ELDA MILEF/  
Primary Examiner, Art Unit 3694

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